

(316) 445-8485



June 29, 1978

Attention: **1** **Vice President**

Dear Mr. .

This is in further response to your January 13, 1978, letter to the Humboldt County Tax Collector and is intended to supplement our March 20, 1978, letter to you.

As indicated in our July 15, 1977, letter to Mr. C. & M. , Attorneys at Law, concerning the application of Stats. 1976, Ch. 176/AB 1258 to timber operations on Indian reservations, Indians logging timber on Indian reservations are not liable for the timber yield tax. Such would be the case also where Indian organizations or associations comprised entirely of Indians are logging timber on reservations.

As to who constitutes an "Indian", our definition of "Indian" now is any person of Indian descent who is entitled to receive services as an Indian from the United States Department of the Interior. An "Indian organization" includes Indian tribes and tribal organizations; partnerships, all of whose members are Indians; and corporations organized under tribal authority and wholly owned by Indians. "Indian organization" does not include other corporations, including other corporations wholly owned by Indians.

The last paragraph of the first page and the first two paragraphs of the second page of our March 20, 1978, letter remain unchanged.

Very truly yours,

James K. McManigal, Jr.  
Tax Counsel

JKM:fp

cc: Mandich, Clark & Barker  
Attorneys at Law

bc: Mr. Abram F. Goldman  
Mr. Walter R. Senini  
Mr. Jack F. Eisenlauer  
Mr. Paul Crebbin

Legal Section